

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent Application of: Ward

Serial No.: 10/027,071

Filed: 12/20/2001

For: Method for Manufacture of Gray Cast Iron
For Crankcases And Cylinder Heads

Group Art Unit: 1725

Examiner: Kevin Kerns

CERTIFICATE OF TRANSMISSION

I hereby certify that this RESPONSE TO RESTRICTION REQUIREMENT is being facsimile transmitted to the Patent and Trademark Office on or before April 2, 2003, to (703) 872-9310.

Date: April 2, 2003



Dennis K. Sullivan

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents

Sir:

In response to the Restriction Requirement mailed March 25, 2003, Applicant traverses the Restriction of the pending claims between Group I and Group II on the ground that the inventions are distinct from each other. The Examiner states, "In the instant case, the internal combustion engine part of Invention II can be made by a process materially different than that of Invention I. For example, the engine part of Invention II can be made by machining a larger block of metal comprised of a desired alloy composition."

According to Invention II, Claim 6 is directed to an "engine part cast from a molten controlled content metal ... which has been alloyed prior to casting with tin ..." Thus, Claim 6 requires the engine part to be made by a casting process rather than by "machining a larger block of metal." Dependent Claims 7 and 8 also contain limitations relevant to "cooling" which relate only to a casting process. Consequently, the product being claimed cannot be made by a materially different process other than casting and withdrawal of the restriction requirement is requested.

Applicant provisionally elects the invention of Group I, Claims 1-5 and 9-13 and respectfully requests an action on the merits.

Respectfully submitted,

Dennis Kelly Sullivan
Attorney for Applicant
Reg. No. 26,510Date: April 2, 2003
Warrenville, IL 60555
Telephone No. (630) 753-2311